

California Regional Water Quality Control Board
North Coast Region

Order No. 99-63
Recision of Cleanup and Abatement Order No. 98-90

For

Melvin G. Wright & Patricia R. Wright
Bill Durban
Raymond A Luzzi

Broadway Maxi Mart
1209 Broadway
Eureka, California

Sonoma County

The California Regional Water Quality Control Board, North Coast Region (hereinafter Regional Water Board) finds that:

1. On August 27, 1998, the Regional Water Board issued Cleanup and Abatement Order No. 98-90 requiring Melvin G. Wright & Patricia R. Wright, Bill Durban, and Raymond A Luzzi to cleanup and abate the effects of discharges and threatened discharges from the unauthorized release of petroleum products at the location of the former Broadway Maxi Mart service station. Order No. 98-90 required the implementation of a workplan for a hydrogeologic investigation, a report of field findings, and the removal of a 550-gallon waste oil tank from the site.
2. A workplan for a hydrogeologic investigation was implemented on September 11, 1998 and a Report of Field Findings was submitted on November 19, 1998. Permits were obtained for the removal of the waste oil tank and the tank was removed on May 11, 1999.

Soil and groundwater samples from six borings were analyzed for methyl tertiary butyl ether (MTBE). MTBE was not found at detectable concentrations in any of the samples.
3. Because the sources of soil and groundwater contamination have been removed, and because conditions at the site no longer pose a threat to water quality, compliance with Cleanup and Abatement Order No. 98-90 has been achieved.
4. This action to rescind a cleanup and abatement order is not subject to the California Environmental Quality Act, pursuant to Title 14, California Code of Regulations, Section 15061(b)(3).
5. The Regional Water Board provided notice to the public and the landowners pursuant to Water Code Section 13307.1 and provided an opportunity to comment on its proposed recision of Cleanup and Abatement Order No. 98-90, and has considered all comments received.

THEREFORE, IT IS HEREBY ORDERED that Cleanup and Abatement Order No. 98-90 be rescinded.

Certification

I, Lee A. Michlin, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, North Coast Region, on August 26, 1999.

Ordered By: _____

Lee A. Michlin
Executive Officer

(bmmrsend)